UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID LINDENSMITH,

                Plaintiff,   No. 12-CV-10644-DT

vs.   Hon. Gerald E. Rosen

DR. PETSCHOW, et al.,

                Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING PLAINTIFF'S
CLAIMS AGAINST DEFENDANT PETSCHOW, ONLY

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on March 28, 2013

PRESENT: Honorable Gerald E. Rosen
                   United States District Chief Judge

This Section 1983 prisoner civil rights matter having come before the Court on the

February 1, 2013 Report and Recommendation of United States Magistrate R. Steven

Whalen recommending that the Court grant motion for summary judgment filed by

Defendant Kevin Petschow; and Plaintiff having timely filed objections to the Magistrate

Judge's Report and Recommendation; and the Court having reviewed the Magistrate Judge's

Report and Recommendation, Plaintiff's Objections, and the Court's entire file of this action,

and having concluded that, for the reasons stated in the Report and Recommendation,

Defendant's motion for summary judgment should be granted and Plaintiff's complaint

claims against Defendant Petschow should, accordingly, be dismissed in their entirety, with

prejudice; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report

and Recommendation of February 1, 2013 [**Dkt. # 26**] be, and hereby is, adopted by this

Court.

IT IS FURTHER ORDERED that Defendant Petschow's Motion for Summary

Judgment **[Dkt. # 14]** be, and hereby is, GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Complaint claims against Defendant

Petschow are DISMISSED in their entirety, with prejudice.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: March 28, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or
counsel of record on March 28, 2013, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135